

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 /020 R

66011

DRAFTED BY:EB/TT/MA:REJOHE:EW

APPROVED BY:EB/TT/MA:RKBANK

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R 140449Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

UNCLAS STATE 036798

E.O. 11652: N/A

TAGS: EWWT, CA

SUBJECT: MERCHANT VESSEL WARNING INFORMATION-RECENT GOI

CIRCULAR NOTE

THE FOLLOWING MESSAGE SENT TO SECSTATE INFO BANGKOK CANBERRA
COLOMBO JAKARTA JARACHI RANGOON WELLINGTON BOMBAY CALCUTTA
HONGKONG KUALA LUMPUR MADRAS SINGAPORE CMDR USCG WASHDC
DTG R 100614Z FEB 76

FM NEW DELHI

QUOTE UNCLAS NEW DELHI 2020

E.O. 11652:N/A

TAGS: CASC IN EMWT XX PLOS

SUBJECT: MERCHANT VESSEL WARNING INFORMATION-RECENT GOI CIRCULAR
NOTE

REF: 75 STATE A-7587

1. LAST AUGUST THE EMBASSY RECEIVED A CIRCULAR NOTE FROM
THE MINISTRY OF EXTERNAL AFFAIRS ALLEGING A "SHARP INCREASE
IN RECENT TIMES IN THE NUMBER OF VIOLATIONS OF INDIA'S TERRI-
TORIAL WATERS BY FOREIGN VESSELS ESPECIALLY IN THE ANDAMAN AND
NICOBAR GROUP OF ISLANDS." THE NOTE WENT ON TO DESCRIBE
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INDIAN REGULATIONS BEARING ON ENTRY IN THESE WATERS AND

REQUESTED LOCAL DIPLOMATIC AND CONSULAR MISSIONS TO BRING THESE REGULATIONS TO THE NOTICE OF ALL CONCERNED "FOR STRICT COMPLIANCE." THE MINISTRY NOTE (DATED AUGUST 4, 1975 AND BEARING NO. AA/120/21/74) WAS CONVEYED BACK TO WASHINGTON (INCLUDING SECSTATE) THROUGH DAO CHANNELS ON SEPTEMBER 2, 1975 CIR 68440152 75).

2. IN VIEW OF REPAIRGRAM AND THE FACT THAT SEVERAL PRIVATE YACHTSMEN HAVE RECENTLY EXPERIENCED DETENTIONS IN THIS GROUP OF ISLANDS (E.G., COLOMBO A-2 NOTAL), THE GOI NOTE SHOULD PROPERLY RECEIVE WIDER DISSEMINATION. IT IS THEREFORE QUOTED BELOW (COMPLIMENTARY CLOSE OMITTED):

3. QUOTE. THE MINISTRY OF EXTERNAL AFFAIRS PRESENTS ITS COMPLIMENTS TO FOREIGN DIPLOMATIC AND CONSULAR MISSIONS IN NEW DELHI AND HAS THE HONOUR TO STATE THAT THE GOVERNMENT OF INDIA HAS NOTICED A SHARP INCREASE IN RECENT TIMES IN THE NUMBER OF VIOLATIONS OF INDIA'S TERRITORIAL WATERS BY FOREIGN VESSELS SPECIALLY IN THE ANDAMAN AND NICOBAR GROUP OF ISLANDS. IN A NUMBER OF CASES THE ANDAMAN AUTHORITIES HAVE HAD TO RESORT TO FIRING AND IN SOME CASES FIRE HAS BEEN RETURNED. THIS HAS NATURALLY CAUSED CONCERN TO THE GOVERNMENT OF INDIA. ON MOST OCCASIONS THE SHIPS AND THEIR CREW HAVE BEEN SUBSEQUENTLY RELEASED FOLLOWING THE INTERVENTION OF THE GOVERNMENT OF INDIA.

SINCE IT IS LIKELY THAT FOREIGN VESSELS OPERATING IN THAT REGION MAY NOT BE CLEAR ABOUT THE REGULATIONS ON THE SUBJECT, THE POSITION IS EXPLAINED BELOW FOR THE INFORMATION AND GUIDANCE OF ALL FOREIGN DIPLOMATIC AND CONSULAR MISSIONS IN INDIA:

(I) AS REGARDS INDIAN TERRITORIAL WATERS IN GENERAL, THERE ARE NO FORMAL ORDERS AS SUCH REGULATING INNOCENT PASSAGE THROUGH THEM. GOVERNMENT OF INDIA GENERALLY CONFORMS TO THE PROVISIONS OF THE GENEVA CONVENTION ON TERRITORIAL SEAS AND CONTIGUOUS ZONES. IN SO FAR AS THE PASSAGE OF WARSHIPS IS CONCERNED, PRIOR NOTIFICATION TO AND PERMISSION OF THE GOVERNMENT UNCLASSIFIED

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OF INDIA IS NECESSARY;

(II) IN THE TERRITORIAL WATERS AROUND ANDAMAN AND NICOBAR ISLANDS, ENTRY OF ALL FOREIGN VESSELS HAS BEEN TEMPORARILY SEALED OFF FOR SECURITY REASONS. THE RELEVANT NOTICE NO. 4A/75 ISSUED TO MARINERS IS REPRODUCED BELOW FOR INFORMATION:

"THE UNION TERRITORY OF ANDAMAN AND NICOBAR ISLANDS IS SEALED OFF TO ALL FOREIGNERS EXCEPTING WHEN THE VISIT OF A FOREIGNER TO THESE ISLANDS IS AT THE INSTANCE OF A GOVERNMENT AGENCY AND IN THE INTEREST OF GOVERNMENT WORK. IT IS NOTIFIED FOR GENERAL INFORMATION THAT THE TERRITORIAL SEA SURROUNDING THE UNION TERRITORY OF ANDAMAN AND NICOBAR ISLANDS IS SEALED OFF TEMPORARILY UNTIL FURTHER ORDERS TO ALL FOREIGN VESSELS OF WHATEVER DESCRIPTION FOR REASONS OF SECURITY, EXCEPTING VESSELS IN URGENT DISTRESS."

ALL FOREIGN DIPLOMATIC AND CONSULAR MISSIONS ARE REQUESTED TO KINDLY BRING THE ABOVE REGULATIONS TO THE NOTICE OF ALL CONCERNED FOR STRICT COMPLIANCE. END QUOTE.

4. THE EMBASSY ASSUMES THAT THE NOTICE TO MARINERS 4A/75 REFERRED TO IN THE BODY OF THE NOTE HAS ALSO BEEN COMMUNICATED TO HOST GOVERNMENTS THROUGH CHANNELS MAINTAINED BY INTERNATIONAL HYDROGRAPHIC BUREAU HEADQUARTERED AT MONACO.SAXBE
UNQUOTE
KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, SHIP DETENTION, TERRITORIAL WATERS VIOLATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 14 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE036798
Document Source: CORE
Document Unique ID: 00
Drafter: EB/TT/MA:REJOHE:EW
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760057-1151
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760247/aaaabpbz.tel
Line Count: 138
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 STATE A-7587
Review Action: RELEASED, APPROVED
Review Authority: housmasa
Review Comment: n/a
Review Content Flags:
Review Date: 20 JAN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 JAN 2004 by morefirh>; APPROVED <06 OCT 2004 by housmasa>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: MERCHANT VESSEL WARNING INFORMATION-RECENT GOI CIRCULAR NOTE
TAGS: EWWT, PLOS, CA, IN, XX
To: OTTAWA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006